

# **AGENDA**

## **HYDE COUNTY BOARD OF COMMISSIONERS' REGULAR MEETING**

**MONDAY, MARCH 6, 2017 – 6:00 PM**

### **CALL TO ORDER**

### **CONSIDERATION OF AGENDA**

### **CONSIDERATION OF MINUTES**

1. February 6, 2017 Regular Meeting Minutes

### **PUBLIC HEARINGS (none)**

### **INTRODUCTION (none)**

### **PRESENTATIONS**

- 1) Proposed Expansion of the Alligator River National Wildlife Refuge ..... Pam Wingrove
- 2) Trees of Hope, Love and Peace .....Edith Deltgen
- 3) Proclamation – Week of The Young Child – April 2017 .....Lisa Woolard & Sharon Spencer  
and Child Abuse Prevention Month – April 2017
- 4) FMA-PJ-04-NC-2015-004 Grant Agreement ..... Chris Hilbert
  - a. Blanket Policies for FMA Program
  - b. FY2015 FMA Program Project Ordinance
- 5) FY2015-2016 Audit Report ..... Thompson, Price, Scott, Adams & Co.

### **EMPLOYEE RECOGNITION**

### **PUBLIC COMMENTS**

Public Comments are a time for the public to make comments to the County Commissioners. Comments should be kept to three (3) minutes or less and comments should be directed to the entire Board and not to individual members, the staff or to other members of the public. Comments requesting assistance will typically be referred to the County Manager for follow-up or for Board action at a future meeting.

## ITEMS OF CONSIDERATION

### 1) Proclamation, Resolutions, Ordinances

- a. Proclamation – Termination of State of Emergency – Hurricane Matthew .... Chairman Pugh
- b. Resolution – Supporting SB 67 (Permit Nighttime Hunting of Coyote) ..... Mgr. Rich
- c. Resolution on Vote of No Confidence In NC Marine Fisheries Commission ..... Kris Noble

### 2) Appointment (none)

- 3) 2017 VFD Application Revision for Ocracoke Fire Protection Association .....Mgr. Rich
- 4) Approval of Fairfield VFD 2016 Board of Trustees Report ..... Justin Gibbs
- 5) Replacement Tidegates – Tideland EMC Loan ..... Daniel Brinn
- 6) Revolving Loan Request for Devil Shoal Oyster & Clam Company ..... Kris Noble

## BUDGET MATTERS

### Health

- 1) BR39-17 – Family Planning Contract Physician & Pharmacist
- 2) BR40-17 – Family Planning Telelanguage
- 3) BR41-17 – Adult Health-PC Contract Physician & Vacancies
- 4) BR42-17 – Private Wells Dept. Supplies & Postage
- 5) BR43-17 – MAP Contract Pharmacy
- 6) BR44-17 – Home Health Offsite Storage
- 7) BR45-17 – Child Health Travel
- 8) BR47-17 – WIC - Postage

## MANAGEMENT REPORTS

The Commissioners, County Manager and Assistant County Manager will share with the public their various activities and ideas for continuous improvement of government services to the citizens.

## PUBLIC COMMENTS

The public is invited to use this time to make comments to the County Commissioners on items discussed during this meeting and/or matters not discussed earlier in the meeting.

## CLOSED SESSION (discussion and possible action if required)

## ADJOURN

## **SUPPLEMENTAL INFORMATION**

### **Department Reports**

- 1) Tax Department (requires signature)
- 2) Department of Social Services
- 3) Senior Center
- 4) Inspections
- 5) Human Resources
- 6) Health Department
- 7) IT Department

### **Informational Items**

- 1) Seymour Johnson Air Force – JLUS Press Release
- 2) Onslow Co. – Resolution 17-001 – Opposing Designation of Special Secondary Nursery Areas
- 3) Can Privatization Save Mattamuskeet Lodge? (article – Coastal Review by Catherine Kozakl)
- 4) 2017 North Carolina Annual STD Update
- 5) Building Bridges for Partnerships: 2017 Communicable Disease Conference
- 6) UNC-SOG – Human Services: What Every County Commissioner Should Know
- 7) Hotline Preps for Race Across the Lake (article – Pungo Living by Caroline Hudson)
- 8) Pushing Forward (article – Pungo Living by Caroline Hudson)

**Hyde County Board of Commissioners**  
**AGENDA ITEM SUMMARY SHEET**

**Meeting Date:** March 6, 2017  
**Presenter:** Lois Stotesberry, Clerk  
**Attachment:** Yes

**ITEM TITLE:** CONSIDERATION OF MINUTES

**SUMMARY:** Attached are the February 6, 2017 Regular Meeting Minutes of the Hyde County Board of Commissioners.

**RECOMMEND:** Review, Amend and Approve.

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**Motion Made By:** ☐ Earl Pugh, Jr.  
☐ Barry Swindell  
☐ Dick Tunnell  
☐ Ben Simmons  
☐ Tom Pahl

**Motion Seconded By:** ☐ Earl Pugh, Jr.  
☐ Barry Swindell  
☐ Dick Tunnell  
☐ Ben Simmons  
☐ Tom Pahl

**Vote:** ☐ Earl Pugh, Jr.  
☐ Barry Swindell  
☐ Dick Tunnell  
☐ Ben Simmons  
☐ Tom Pahl



1 **Regular Meeting Minutes**

2 **Board of County Commissioners**  
3 **Hyde County**

4  
5 **Monday, February 6, 2017**

6 After opening prayer by Commissioner Simmons and Pledge of Allegiance, Chairman Earl Pugh, Jr. called the  
7 Regular Meeting of the Hyde County Board of Commissioners to order on Monday, February 6, 2017, in the Hyde  
8 County Government Center, Multi-Use Room, and the Ocracoke Community Center using electronic conferencing  
9 equipment.

10 The following members were present on the mainland: Chairman Earl Pugh, Jr., Vice-chairman Barry Swindell,  
11 Commissioners Tom Pahl, Dick Tunnell and Ben Simmons; County Manager Bill Rich; Assistant County Manager  
12 Kris Cahoon-Noble; Clerk to the Board Lois Stotesberry; and, members of the public.

13 Public Information Officer Teresa Adams, IT Director Donnie Shumate and members of the public were present on  
14 Ocracoke.

15  
16 Attorney Fred Holscher was absent.

17 **Agenda:**

18 Commissioner Simmons moved to approve the February 6, 2017 Hyde County Board of Commissioners Regular  
19 Meeting Agenda as presented by the Clerk with addition of Items of Consideration No. 14. Beaufort County  
20 Community College Lease and No. 15 – Ocracoke Occupancy Tax – Passenger Ferry; and, Budget Transfers  
21 Christmas Cheer-FY15-16 and FY16-17. Mr. Swindell seconded the motion. The motion passed on the following  
22 vote: Ayes – Pahl, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

23 **Consideration of Minutes:**

24  
25 Commissioner Pahl moved to approve the January 3, 2017 Hyde County Board of Commissioners Regular Meeting  
26 Minutes as presented by the Clerk. Mr. Tunnell seconded the motion. The motion passed on the following vote:  
27 Ayes – Pugh, Pahl, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

28 **Presentations:**

29 **National Park Service Update**

30 Dave Hallac, Superintendent, Cape Hatteras National Seashore, presented update on the activities of the National  
31 Park Service. Topics discussed include increased visitation, driving on the beach, ORV permits, prices and routes,  
32 reduced wildlife buffers, Ramp 59, Devil Shoal Road and South Bitter Swash Creek foot path and parking.  
33 Superintendent Hallac concluded changes in 2016 made a big difference to Cape Hatteras Seashore. Twenty-five  
34 miles of the 28 mile beach is now open for driving.

35 **Trillium Health Resources – Annual Report**

36 Dave Peterson, Central Regional Director, Trillium, presented annual report on Trillium Health Resources and  
37 requested County Commissioners support for providing Trillium with adequate state funding to continue serving  
38 those with disabilities throughout its 24 county LME.



Commissioner Simmons moved to adopt Resolution of Support for Adequate Funding to Meet the Mental Health, Intellectual and Developmental Disabilities, and Substance Use Disorder Service Needs for Citizens of Hyde County. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Pahl, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

*Clerk's Note: A copy of "Resolution of Support for Adequate Funding to Meet the Mental Health, Intellectual and Developmental Disabilities, and Substance Use Disorder Service Needs for Citizens of Hyde County" is attached herewith as Exhibit A and incorporated herein by reference.*

#### **Resolution Opposing the Proposed Expansion of the Alligator River National Wildlife Refuge**

Daren Hubers, Hyde Soil & Water Conservation Board of Supervisors reported the Board has reviewed the proposed expansion report of Alligator River National Wildlife Refuge (dated 09-19-2016) and is opposed to the acquisition of 11,932.8 acres of land belonging to Mattamuskeet Ventures and Coastal Land Holdings, LLC.

After further discussion with western Hyde County land owners/farmers Wade Hubers, Rodney Glass and Reid Gelderman Manager Rich reported Pam Wingrove, Natural Resource Planner, U.S. Fish and Wildlife Service, will present report on the Payments in Lieu of Taxes (PILT) program at the next regularly scheduled Board of Commissioners meeting on March 6, 2017. The PILT program provides payments to counties and other local governments to offset losses in tax revenues due to the presence of tax-exempt federal land in their jurisdictions.

Betty Jo Shephard, Field Representative, Office of Senator Richard Burr, attended the meeting.

No action taken.

#### **Insurance District Boundaries**

Justin Gibbs, Director, Emergency Services, reported pursuant to NCGS 58-2-40 and 59-36-10 – Initial Certification/Re-Inspection of Fire Departments in North Carolina, the NC Insurance Commissioner authorized the standard known as Administrative Procedures Code Section .0500. The result of this action was the development of requirements by which all fire departments will be certified with a 9S rating (effective 1987) for insurance grading purposes. A hand drawn map and written description or a GIS computer generated map of its initial or revised fire district should be on file in the Office of State Fire Marshal.

Commissioner Simmons moved to approve the Swan Quarter and Ocracoke Resolution for Approval of Insurance District Boundaries and 9S rated district maps as presented by ES Director Justin Gibbs. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Pahl, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

*Clerk's Note: A copy of "Resolution for Approval of Insurance District Boundaries – Swan Quarter" is attached herewith as Exhibit B and incorporated herein by reference.*

*Clerk's Note: A copy of "Resolution for Approval of Insurance District Boundaries – Ocracoke" is attached herewith as Exhibit C and incorporated herein by reference.*

#### **Employee Recognition:**

##### **Laurie Potter**

Bill Rich, County Manager, commended Laurie Potter, DSS Director, for dedicated service to the citizens of Hyde County. Ms. Potter spun the "Wheel of Thanks" and won a \$25.00 Gift Certificate for Spoon River Restaurant in Belhaven, NC.



1 **Public Comments:**

2 **Edith Deltgen, Columbia** – requested permission to do “Living Trees for Hope, Love and Peace” art project in  
3 Swan Quarter and Ocracoke.

4 **Reid Gelderman, New Lake farmer** – stated the expansion of Alligator River National Wildlife Refuge will affect  
5 not just land owners and the seller, it affects the whole county.

6 **Rodney Glass, New Lake farmer** – questioned expansion of Alligator River National Wildlife Refuge in reference  
7 to the red wolf program.

8 **Wade Hubers, New Lake farmer** – questioned effects of expansion of Alligator River National Wildlife Refuge on  
9 the red wolf program, Wildlife Resources drainage control methods and Soil & Water Board’s responsibility to  
10 monitor this event.

11 Commissioner Simmons left the meeting room.

12 **Seldon Taylor, Swan Quarter** – continues to be bothered by free range chickens in his yard.

13 Manager Rich recommended he go through the Hyde County Magistrate and Sheriff to handle the nuisance.

14 There being no further comment from the public, Chairman Pugh continued the meeting.

15 **Items of Consideration:**

16 **Proclamation – Designation of April 2017 As Senior Games Participation Month**

17 Kris Noble, Assistant County Manager, reported the Albemarle Commission Area Agency on Aging will be  
18 holding the 33<sup>rd</sup> annual Albemarle Senior Games in spring 2017. Participants and volunteers would be honored if  
19 the Hyde County Board of Commissioners would sponsor an official proclamation to recognize April as Senior  
20 Games Participation Month.

21 Ashley Lamb, Albemarle Senior Games Coordinator, (letter) suggested this would provide an excellent  
22 opportunity for Hyde County to demonstrate its support in the fun, fitness and fellowship of older adults.  
23 Moreover, it is a wonderful opportunity to educate the public on the availability of senior services throughout the  
24 region.

25 Commissioner Swindell moved to approve Proclamation – Designation of April 2017 As Senior Games  
26 Participation Month. Mr. Pahl seconded the motion. The motion passed on the following vote: Ayes – Pahl,  
27 Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – Simmons.

28 *Clerk’s Note: A copy of “Proclamation – Designation of April 2017 As Senior Games Participation Month” is attached  
herewith as Exhibit D and incorporated herein by reference.*

29  
30 **Resolution In Support of Mattamuskeet Association’s Appeal For Public Assistance**

31 Kris Noble, Assistant County Manager, reported the Mattamuskeet Association is a private non-profit association  
32 that provides drainage, maintained access, flood control and utility conveyance for public good including the  
33 protection of critical local government facilities and private homes and businesses. Hyde County supports the  
34 Mattamuskeet Association’s application for public assistance to FEMA and promotes the Mattamuskeet Association  
35 as providing critical public assistance through its drainage and flood control activities for landowners, business  
36 owners, public infrastructure and residents both inside and outside of their boundaries.



Commissioner Pahl moved to adopt “Resolution In Support of Mattamuskeet Association’s Appeal for Public Assistance” and agree that on behalf of the citizens of Hyde County, the Hyde County Board of Commissioners strongly urge FEMA to accept the Mattamuskeet Association’s application for public assistance. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Pahl, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – Simmons.

*Clerk’s Note: A copy of “Resolution In Support of Mattamuskeet Association’s Appeal for Public Assistance” is attached herewith as Exhibit E and incorporated herein by reference.*

## **Appointments:**

### **Appointment of Regular and Alternate Board Members To The Ocracoke Board of Adjustments**

Tom Pahl, Commissioner, recommended the appointment of five regular and two alternate board members for the Ocracoke Board of Adjustments.

Commissioner Pahl moved to appoint Ann Warner and Daniel Wroblewski to serve as alternate members on the Ocracoke Board of Adjustments. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Pahl, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – Simmons.

### **Re-appointment To The Ocracoke Board of Adjustments**

Commissioner Pahl moved to re-appoint Finley Austin to serve a three year term on the Ocracoke Board of Adjustments. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Pahl, Pugh, Tunnell and Swindell; Nays – None; Absent or not voting – Simmons.

## **2017-18 Legislative Goals Update**

Commissioner Earl Pugh, Jr. attended the North Carolina Association of County Commissioners’ 2017 Legislative Goals Conference in Raleigh on January 12-13, 2017. The Legislative Goals Conference represents the culmination of a thorough, deliberate and inclusive process to set the Association’s legislative agenda for the 2017-18 Legislative Biennium. The complete set of Association legislative goals is available at <http://www.ncacc.org/620/2017-18-Legislative-Goals>. Commissioner Pugh participated in the process by serving as Hyde County voting delegate.

No action required.

## **Joint Use Study – Seymour Johnson**

Bill Rich, County Manager, presented update on the Joint Land Use Study (JLUS) recently conducted by Seymour Johnson Air Force Base (AFB). The goal of the JLUS is to protect the viability of current and future missions at Seymour Johnson AFB and Dare County Range, while accommodating community growth, sustaining the economic health of the northeast North Carolina region and protecting public health, welfare and safety.

The NC Department of Commerce Rural Economic Development Division is hosting the third Public Workshop for the Seymour Johnson AFB and Dare County Range JLUS on March 13-16, 2017. The public workshop will be provided in four locations. Details are available at [www.northeastncregionaljlus.com](http://www.northeastncregionaljlus.com).

No action required.

Commissioner Simmons returned.

## **OSFM Fire Grants Match Proposal**

Bill Rich, County Manager, reported on January 3, 2017, he and Chairman Pugh met with Engelhard VFD Chief Tony Spencer and Swan Quarter VFD Chief Jeffrey Stotesberry to discuss county-wide fire departments’ need for



increased funding to purchase equipment for operations. Chief Spencer is planning to apply for an OSFM Fire Rescue grant from the Office of State Fire Marshal (OSFM) and has asked the county to consider approving a 25% match. Funds will be awarded in May and a certification that matching funds are available will be required as a part of the grant process. Funds from the County will be budgeted in the FY2017-18 Budget and if approved awarded in July. The combined grant match requests from the VFD's is \$224,565.22 and the County match will total \$56,141.31.

<u>Volunteer Fire Department</u>	<u>Grant Funds</u>	<u>25% Match Funds</u>	<u>Grant Total</u>
Scranton	\$ 29,817.75	\$ 9,939.25	\$ 39,757.00
Ocracoke	\$ 19,398.09	\$ 6,466.03	\$ 25,864.12
Fairfield	\$ 29,313.65	\$ 9,771.22	\$ 39,084.87
Engelhard	\$ 29,999.62	\$ 9,999.88	\$ 39,999.50
Ponzer	\$ 29,718.37	\$ 9,906.13	\$ 39,624.50
Swan Quarter	<u>\$ 30,176.42</u>	<u>\$10,058.81</u>	<u>\$ 40,235.23</u>
	\$168,423.90	\$56,141.32	\$224,565.22

Commissioner Tunnell moved to allow County Manager Bill Rich to find the \$56,141.31 match request in the FY2017-2018 Hyde County Budget. Mr. Simmons seconded the motion. The motion passed on the following vote: Ayes – Pahl, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

#### **Tideland EMC Loan Request From West Quarter Drainage District**

Bill Rich, County Manager, reported West Quarter Drainage District is considering applying for a \$150,000.00 - 10 year - 0% interest loan through Tideland EMC's loan program. Their board will meet next week to discuss. The loan proceeds will be used to purchase and replace 15 tide gates. If the drainage district decides to proceed with the request, Hyde County will be the borrower of the funds from Tideland EMC and serve as an intermediary for the distribution of funds to West Quarter Drainage District.

No action taken.

#### **Fairfield Drainage District**

Benjamin Simmons, Commissioner, reported Fairfield Drainage District is considering applying for a 0% interest loan through Tideland EMC's loan program. The District needs \$150 to \$200 thousand to pay bills until reimbursed by FEMA. If FEMA denies the request they would like to pay the loan on a ten-year note.

Manager Rich will research this request.

#### **Ocracoke Convenience Site**

Bill Rich, County Manager, presented update on improvements being made to the Ocracoke Convenience Site including paving and fence art work. Mr. Rich recommends paving the driveway to the highway and adding murals in the fence to reference recycling.

#### **County Closure Policy**

Barry Swindell, Vice-chairman, recommended developing a protocol for county employees to follow during periods of inclement weather.

Kris Noble, Assistant County Manager, presented pictures of the January 9<sup>th</sup> snow event.



1 **FMA-PJ-04-NC-2015-004 Grant Agreement**

2 Kris Noble, Assistant County Manager, reported Hyde County has received final approval to execute the Grant  
3 Agreement for Project FMA-PJ-04-NC-2015-004 to elevate residential structures at 255 Lazy Lane and 275 Lazy  
4 Lane, Engelhard, NC. Estimated Federal share (90%) is \$204, 243.30 and estimated local share (10%) is \$22,693.70  
5 to be paid by the home owners for a project total of \$226,937.00.

6 Commissioner Simmons moved to authorize execution of the grant agreement for Project FMA-PJ-04-NC-2015-004.  
7 Mr. Pahl seconded the motion. The motion passed on the following vote: Ayes – Pahl, Pugh, Tunnell, Simmons and  
8 Swindell; Nays – None; Absent or not voting – None.

9 **Mattamuskeet Watershed Study**

10 Bill Rich, County Manager, presented update on the Mattamuskeet Watershed Study.

11 On October 3, 2016, Mattamuskeet National Wildlife Refuge Manager Pete Campbell accompanied by Michelle  
12 Moorman presented the Lake Mattamuskeet Watershed Restoration Plan and submitted a draft list of stakeholder  
13 groups that will be important to engage in the project moving forward including a plan of work that includes  
14 estimated costs from the Coastal Federation.

15 On November 7, 2016, the Board of Commissioners unanimously approved the Lake Mattamuskeet Restoration  
16 Program; to put \$15,000.00 (Hyde County's obligation) in the FY17-18 County Budget; and, to apply for grant  
17 funding from DCM in April, 2017.

18 No action required.

19 **FY2017-2018 Budget Calendar**

20 Commissioner Swindell moved to approve the FY2017-2018 Hyde County Budget Calendar as presented by County  
21 Manager Bill Rich. Mr. Simmons seconded the motion. The motion passed on the following vote: Ayes – Pahl,  
22 Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

23 **BCCC Lease Renewal**

24 Commissioner Simmons moved to renew Beaufort County Community College Lease for rooms occupied at Davis  
25 Building. Mr. Pahl seconded the motion. The motion passed on the following vote: Ayes – Pahl, Pugh, Tunnell,  
26 Simmons and Swindell; Nays – None; Absent or not voting – None.

27 **Ocracoke Occupancy Tax and Passenger Ferry Project**

28 Bill Rich, County Manager, reported he will attend the Ocracoke Occupancy Tax Board meeting, at 7:00p.m., on  
29 Thursday, February 9, 2017, at the Ocracoke Community Center, to present proposal for the Ocracoke Tram System  
30 and Passenger Ferry Project.

31 **Budget Transfers:**

32 Bill Rich, County Manager, presented the following budget transfers for Board of Commissioner approval:

33 **Airport**

34 a. Aviation Drainage ..... \$ 9,195.18

36 **Social Services**

37 a. Day Care Revenue ..... \$24,453.00

38 b. Day Care Supplies ..... \$23,804.40

39 c. Christmas Cheer FY15-16 ..... \$ 2,740.00

40 d. Christmas Cheer FY16-17 ..... \$ 2,740.00

1	<b><u>Health Department</u></b>	
2	a. 26-17 – Child Health .....	\$ 5,000.00
3	b. 27-17 – Communicable Disease.....	\$ 400.00
4	c. 28-17 – General – Telephones .....	\$ 2,081.10
5	d. 29-17 – Environmental Health .....	\$ 1,200.00
6	e. 30-17 – WIC .....	\$ 264.00
7	f. 31-17 – General – Cell Phones .....	\$ 2,000.00
8	g. 32-17 – Environmental Health .....	\$ 400.00
9	h. 33-17 – Genral – Contract Dental .....	\$ 2,400.00
10	i. 34-17 – Adult Health – PC Contract Provider .....	\$ 6,350.40
11	j. 35-17 – Maternal Health – Contract Provider .....	\$ 1,940.40
12	k. 36-17 – Child Health – Contract Provider .....	\$ 4,410.00
13	l. 37-17 – Family Planning – Contract Provider .....	\$ 4,939.20
14	m. 38-17 – Interpreter Outreach Work .....	\$65,800.00

15 Commissioner Swindell moved to approve the Airport, DSS and Health Department budget transfers as  
 16 presented. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Pahl, Pugh,  
 17 Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – None.

18 **Management Reports:**

19 **Commissioner Tom Pahl** – attended meetings regarding the passenger ferry/tram project with the planning  
 20 group and OCBA; planning meetings and the organizational meeting of the Variance Board. Mr. Pahl discussed  
 21 citizen’s concerns about solar farms moratorium; and, followed up on National Park Service projects. He also  
 22 interviewed with Peter Vankevich of WOVV.

23 **Commissioner Ben Simmons** – attended a drainage meeting and Pamlico Sound shrimp meeting. Mr. Simmons  
 24 requested he be replaced on the Trillium Board.

25 **Commissioner Barry Swindell** – attended the Health Board re-accreditation with Randy Clayton and Luana  
 26 Gibbs. Mr. Swindell thanked Bryant Morrison and Shawn Zehnaker and reported the Hyde County Athletic  
 27 League has 50 players. He continues to listen to citizen concerns.

28 **Commissioner Dick Tunnell** – attended the Mattamuskeet Restoration Study and Engelhard Sewer Board  
 29 meetings; met with Lyn Alligood of Albemarle Commission; and, thanked staff for maintenance done on the  
 30 Health Department parking lot.

31 **Chairman Earl Pugh, Jr.** – attended the Legislative Goals Conference in Raleigh, and the recycling, shrimp,  
 32 ferry and Lake Mattamuskeet meetings.

33 **County Manager Bill Rich** – Mr. Rich’s February 2017 calendar was provided.

34 **Assistant County Manager Kris Noble** – Ms. Noble reported on projects, meetings and events attended. She  
 35 also reported on a class she attends in Chapel Hill 4 days a month.

36 **Public Comments:**

37 There being no comment from the public, Chairman Pugh continued the meeting.

38 **Closed Session (none)**

39



1 **Adjourn**

2  
3 Commissioner Simmons moved to adjourn the meeting. Mr. Pahl seconded the motion. The motion passed on the  
4 following vote: Ayes – Pahl, Pugh, Tunnell, Simmons and Swindell; Nays – None; Absent or not voting – none.

5 The meeting adjourned at 9:20p.m.

6  
7 Respectfully submitted:

8  
9 Minutes approved on the 6<sup>th</sup> day of March, 2017.

10  
11  
12  
13 Attest:

14  
15  
16  
17  
18 \_\_\_\_\_  
19 Lois Stotesberry, CMC, NCCCC  
20 Clerk, Hyde County Board of Commissioners  
21

22 \_\_\_\_\_  
23 Earl Pugh, Jr.  
24 Chair, Hyde County Board of Commissioners

25 Attachments:

26 **Exhibit A: “Resolution of Support for Adequate Funding to Meet the Mental Health, Intellectual and Developmental**  
27 **Disabilities, and Substance Use Disorder Service Needs for Citizens of Hyde County”**

28 **Exhibit B: “Resolution for Approval of Insurance District Boundaries – Swan Quarter”**

**Exhibit C: “Resolution for Approval of Insurance District Boundaries – Ocracoke”**

**Exhibit D: “Proclamation – Designation of April 2017 As Senior Games Participation Month”**

**Exhibit E: “Resolution In Support of Mattamuskeet Association’s Appeal for Public Assistance”**

**Hyde County Board of Commissioners**  
**AGENDA ITEM SUMMARY SHEET**

**Meeting Date:** March 6, 2017  
**Presenter:** Pam Wingrove  
**Attachment:** No

**ITEM TITLE:** UPDATE ON ALLIGATOR RIVER MINOR EXPANSION & PILT

**SUMMARY:** Pam Wingrove will provide an update on the Alligator River minor expansion and PILT.

**RECOMMEND:** UPDATE ONLY

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Motion Made By: ☐ Earl Pugh, Jr.  
☐ Barry Swindell  
☐ Dick Tunnell  
☐ Ben Simmons  
☐ Tom Pahl

Motion Seconded By: ☐ Earl Pugh, Jr.  
☐ Barry Swindell  
☐ Dick Tunnell  
☐ Ben Simmons  
☐ Tom Pahl

Vote: ☐ Earl Pugh, Jr.  
☐ Barry Swindell  
☐ Dick Tunnell  
☐ Ben Simmons  
☐ Tom Pahl

**Hyde County Board of Commissioners**  
**AGENDA ITEM SUMMARY SHEET**

**Meeting Date:**       **March 6, 2017**  
**Presenter:**         **Edith Deltgen**  
**Attachment:**       **Yes**

**ITEM TITLE:**       **TREES OF HOPE, LOVE & PEACE**

**SUMMARY:**         Edith Deltgen, local artist will talk about her project, Trees of Hope, Love and Peace and seek approval to conduct the project in Hyde County at different locations.

**RECOMMEND:**       **APPROVAL**

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Motion Made By:   \_\_\_ Earl Pugh, Jr.  
                         \_\_\_ Barry Swindell  
                         \_\_\_ Dick Tunnell  
                         \_\_\_ Ben Simmons  
                         \_\_\_ Tom Pahl

Motion Seconded By: \_\_\_ Earl Pugh, Jr.  
                             \_\_\_ Barry Swindell  
                             \_\_\_ Dick Tunnell  
                             \_\_\_ Ben Simmons  
                             \_\_\_ Tom Pahl

Vote:       \_\_\_ Earl Pugh, Jr.  
              \_\_\_ Barry Swindell  
              \_\_\_ Dick Tunnell  
              \_\_\_ Ben Simmons  
              \_\_\_ Tom Pahl



# Community turns out for Hope, Love, and Peace

By EDITH DELTGREN

*(Editor's note: On Dec. 1 trees celebrating Hope, Love, and Peace in Columbia were decorated with fabric strips expressing those sentiments. The idea originated with artist Edith Deltgen, whose report is printed below.)*

What an amazing day it was — picture-perfect weather — warm sunshine and a light breeze from the Scuppernong River! At 10 a.m. shortly after I got there, the volunteers/helpers and participants began to arrive. Jim and Celia Hook, Claire Keatley (Pocosin Arts), Midge Ogle-tree (Town Council member), Miriam Fauth with her son Jacob and daughter Ruth, Durwood Cooper Jr., Bill and Kay Davenport, Edda Labonte, Michael Yancy (Columbia High School Principal), Mallory Phelps with youngsters from the Mother's Helpers childcare center, Jeanne LaPlante (Columbia High School) with 20+ students, and Sandy Berry, Elmer Magnum, Dalen Holmes (Tyrrell County Prison Work Farm). There were well over 150 inmates who contributed to this beautiful living art project. Gabby Crail (Elements Coffee Shop) brought 20 messages from the Christian church.

Jacob and Ruth Fauth stapled large and small pieces of fabric together and wrapped them around tree trunks for an additional splash of color. When the little kids arrived, they had such fun tying lots of bright red fabric strips to the lower branches of the trees. The three ladies from the prison farm and the high school principal brought bags of fabric messages. Tying the messages to the trees took over an hour! Claire hung up messages from the Elementary School students. The seniors from Tyrrell House wrote truly heartfelt messages. Miriam Fauth ensured that all the messages were readable. We were so busy! So many are so well done and so moving. "Looks like you hit a nerve with this message," was my husband Florian's comment.



**HOPE, PEACE AND LOVE TREES** on the Town Common in Columbia bear messages from many individuals. Ribbons are available at Elements Cafe, 117 South Elm Street. (contributed photo)

He's the one who drilled all the holes in the driftwood tree for Tyrrell House, bless his heart! Also among the volunteers were Arlene Bowling and Tim Nielsen.

At 11:30 a.m. Jeanne LaPlante came walking down Main Street with 20-plus high schoolers. They wrote messages on the fabric strips and wrapped them around larger tree trunks. I got two of the tallest boys to hang more strips to the higher branches. By then the trees started to look colorful. The more than 100 light blue strips are from the prison work farm. The many different colored fabrics blended together. The messages came from the heart, and many were done with great effort. Messages came from all age groups across Tyrrell County and some from Washington County. Representatives of businesses and administrative offices including the Post Office stopped by. It is really amazing how much the community cares! Later in the afternoon I went back to take pictures and several cars stopped to admire the trees. They also signed messages. There are little hope, love, and peace trees at the library and the cafe/win-

ery. You can put your messages up at these locations as well.

We had only three weeks to prepare and spread the news. Miriam Fauth and I ran around town handing out information and fabric strips provided by Minnie Mae Snell and Celia Hook. A few days later, we collected what was ready. Without Miriam's constant effort and the support of the volunteers at our "fabric cutting party" at Pocosin Arts, this project would not have happened. Jacob and Ruth created posters and cut cloth until they got blisters! That's when Celia came to the rescue. Her cutting tools are superior. Edda walked up and down Main Street and other places to collect previously delivered fabric.

Many thanks to all involved! It's great to have so much support! The idea is already spreading. We will report about that at a later time.

Maybe you want to do your own tree? Let us know, please. We want to get pictures, if possible, of more Hope, Love, and Peace Trees sprouting up. If you would please be so kind, send them to [edith.deltgen@yahoo.com](mailto:edith.deltgen@yahoo.com).

Happy Holidays!

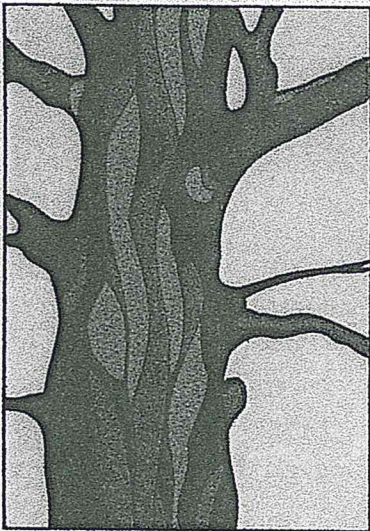


# TREES OF HOPE, LOVE, AND PEACE

THURSDAY, DECEMBER 1, 2016

10:30 A.M.

IN FRONT OF THE MUNICIPAL BUILDING  
ON THE SCUPPERNONG RIVER



*Imagine how pretty this tree will look  
our names and good wishes written on  
colorful fabric strips and tied on!*

*Let's join together as a community to  
spread the message of hope, love, and  
peace to each other and all those we  
hold dear by signing fabric strips or  
writing a message for someone special  
that will be tied to the trees and bushes.*



**Hyde County Board of Commissioners  
AGENDA ITEM SUMMARY SHEET**

**Meeting Date:** March 6, 2017  
**Presenter:** Lisa Woolard and Sharon Spencer  
**Attachment:** Yes

**ITEM TITLE:** Proclamations: Week of the Young Child & Child April Prevention

**SUMMARY:**

- 1) The Beaufort/Hyde Partnership for Children is requesting that the Hyde County Commissioners proclaim April as Child Abuse Prevention month and call upon its citizens to increase their participation in efforts to support families.
- 2) The Beaufort/Hyde Partnership for Children is requesting that the Hyde County Commissioners proclaim April 23<sup>rd</sup> – 29<sup>th</sup> as Week of the Young Child and to encourage all citizens to work to make a good investment in early childhood.

**RECOMMEND:**

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Motion Made By: ☐ Earl Pugh, Jr.  
☐ Barry Swindell  
☐ Dick Tunnell  
☐ Ben Simmons  
☐ Tom Pahl

Motion Seconded By: ☐ Earl Pugh, Jr.  
☐ Barry Swindell  
☐ Dick Tunnell  
☐ Ben Simmons  
☐ Tom Pahl

Vote: ☐ Earl Pugh, Jr.  
☐ Barry Swindell  
☐ Dick Tunnell  
☐ Ben Simmons  
☐ Tom Pahl



**BOARD OF COMMISSIONERS  
OF THE COUNTY OF HYDE,  
NORTH CAROLINA**

**PROCLAMATION  
WEEK OF THE YOUNG CHILD  
APRIL 2017**

**Whereas**, the Beaufort/Hyde Partnership for Children and other local organizations, in conjunction with the National Association for the Education of Young Children, are celebrating the Week of the Young Child, April 23<sup>rd</sup> – 29<sup>th</sup>, 2017; and

**Whereas**, these organizations are working to improve early learning opportunities, including early literacy programs, that can provide a foundation of learning for children in Hyde County, NC; and

**Whereas**, child care providers, teachers, parents, and others who make a difference in the lives of young children in Hyde County, NC deserve thanks and recognition; and

**Whereas**, public policies that support early learning for all young children are crucial to young children's futures;

**NOW, THEREFORE BE IT RESOLVED** that the Hyde County Board of Commissioners do hereby proclaim April 23<sup>rd</sup> – 29<sup>th</sup> as the Week of the Young Child in Hyde County, NC and encourage all citizens to work to make a good investment in early childhood.

Adopted this the 6<sup>th</sup> day of March, 2017 in Hyde County, North Carolina.

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Chairman Earl Pugh, Jr.

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Vice Chairman Barry Swindell

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Commissioner Dick Tunnell

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Commissioner Benjamin Simmons, III

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Commissioner Tom Pahl



**BOARD OF COMMISSIONERS  
OF THE COUNTY OF HYDE,  
NORTH CAROLINA**

**PROCLAMATION  
CHILD ABUSE PREVENTION MONTH  
APRIL 2017**

**Whereas**, children are vital to our state's future success, prosperity and quality of life as well as being our most vulnerable assets;

**Whereas**, all children deserve to have the safe, stable, nurturing homes and communities they need to foster their healthy growth and development;

**Whereas**, child abuse and neglect is a community responsibility affecting both the current and future quality of life to a community;

**Whereas**, communities that provide parents with the social support, knowledge of parenting and child development and concrete resources they need to cope with stress and nurture their children ensure all children grow to their full potential;

**Whereas**, effective child abuse prevention strategies succeed because of partnerships created among citizens, human service agencies, schools, faith communities, health care providers, civic organizations, law enforcement agencies, and the business community;

**NOW, THEREFORE BE IT RESOLVED** that the Hyde County Board of Commissioners do hereby proclaim April as "CHILD ABUSE PREVENTION MONTH," and call upon all citizens, community agencies, faith groups, medical facilities, other elected leaders and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and strengthening the communities in Hyde County.

Adopted this the 6<sup>th</sup> day of March, 2017 in Hyde County, North Carolina.

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Chairman Earl Pugh, Jr.

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Vice Chairman Barry Swindell

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Commissioner Dick Tunnell

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Commissioner Benjamin Simmons, III

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Commissioner Tom Pahl



**Hyde County Board of Commissioners**  
**AGENDA ITEM SUMMARY SHEET**

**Meeting Date:** March 6, 2017  
**Presenter:** Chris Hilbert, HCP  
**Attachment:** Yes

**ITEM TITLE:** POLICIES FOR FMA PROGRAMS

**SUMMARY:** Chris Hilbert of Holland Consulting Planners will present the following items pertaining to Hyde County Flood Mitigation Assistance (FMA) programs (including the FY 2015 FMA program). These policies will cover all FMA programs going forward.

1. Resolution Approving Administrative Guidelines and Policies
2. Designation of Applicant's Agent
3. Financial Management Resolution
4. Elevation Contract Award Policy
5. Equal Employment and Procurement Policy

**RECOMMEND:** APPROVE

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Motion Made By: ☐ Earl Pugh, Jr.  
☐ Barry Swindell  
☐ Dick Tunnell  
☐ Ben Simmons  
☐ Tom Pahl

Motion Seconded By: ☐ Earl Pugh, Jr.  
☐ Barry Swindell  
☐ Dick Tunnell  
☐ Ben Simmons  
☐ Tom Pahl

Vote: ☐ Earl Pugh, Jr.  
☐ Barry Swindell  
☐ Dick Tunnell  
☐ Ben Simmons  
☐ Tom Pahl

**HYDE COUNTY FLOOD MITIGATION ASSISTANCE (FMA) PROGRAMS**  
**Resolution Approving Administrative Guidelines and Policies**

WHEREAS, Hyde County wishes to carry out its Flood Mitigation Assistance (FMA) Programs in accordance with established state and federal administrative guidelines.

NOW, THEREFORE, the Hyde County Board of Commissioners hereby collectively adopts the following resolutions and policies, and resolves that they be utilized during the administration of the Hyde County Flood Mitigation Assistance (FMA) Programs:

1. Financial Management Resolution
2. Elevation Contract Award Policy
3. Equal Employment and Procurement Policy
4. Designation of Applicant's Agent Resolution

Adopted this 6th day of March, 2017.

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Earl Pugh, Jr., Chairman  
Hyde County Board of Commissioners

ATTEST:

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Lois Stotesberry, Clerk to the Board

**RESOLUTION**  
**DESIGNATION OF APPLICANT'S AGENT**  
**North Carolina Division of Emergency Management**

Organization Name (hereafter named Organization): Hyde County	Disaster Number: Hyde County Flood Mitigation Assistance (FMA) Programs
Applicant's State Cognizant Agency for Single Audit purposes (If Cognizant Agency is not assigned, please indicate): North Carolina Department of Crime Control and Public Safety	
Applicant's Fiscal Year (FY) Start	Month: Day: July 1
Applicant's Federal Employer's Identification Number: 56-6000308	
Applicant's Federal Information Processing Standards (FIPS) Number:	

PRIMARY AGENT	SECONDARY AGENT
Agent's Name Kris Noble	Agent's Name Corrinne Gibbs
Organization Hyde County Government	Organization Hyde County Government
Official Position Assistant County Manager	Official Position Finance Officer
Mailing Address PO Box 188	Mailing Address PO Box 188
City, State, Zip Swan Quarter, NC 27885	City, State, Zip Swan Quarter, NC 27885
Daytime Telephone (252) 926-4180	Daytime Telephone (252) 926-4192
Facsimile Number (252) 926-3701	Facsimile Number (252) 926-3701
Pager or Cellular Number na	Pager or Cellular Number na

BE IT RESOLVED BY the governing body of the Organization (a public entity duly organized under the laws of the State of North Carolina) that the above-named Primary and Secondary Agents are hereby authorized to execute and file applications for federal and/or state assistance on behalf of the Organization for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act, (Public Law 93-288 as amended) or as otherwise available. BE IT FURTHER RESOLVED that the above-named agents are authorized to represent and act for the Organization in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements and the assurances printed on the reverse side hereof. BE IT FINALLY RESOLVED THAT the above-named agents are authorized to act severally.

PASSED AND APPROVED this 6th day of March, 2017.

GOVERNING BODY	CERTIFYING OFFICIAL
Name and Title Hyde County Board of Commissioners	Name Lois Stotesberry
Name and Title	Official Position Clerk to the Board of Commissioners
Name and Title Chairman, Hyde County Board of Commissioners	Daytime Telephone (252) 926-4187

**CERTIFICATION**

I, Lois Stotesberry (Name) duly appointed and Clerk (Title) of the Governing Body, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Governing Body of Hyde County (Organization) on the 6th day of March, 2017

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

**HYDE COUNTY FLOOD MITIGATION ASSISTANCE (FMA) PROGRAM**  
**Designation of Applicant's Agent**

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF HYDE COUNTY  
*(Governing Body)* *(Public Entity)*

THAT Hyde County, a public entity established under the laws of the State of North Carolina, hereby authorizes its agent to provide to the State and to the Federal Emergency Management Agency (FEMA) for all matters pertaining to such Federal disaster assistance the assurance and agreements printed on the attached Designation of Applicant's Agent form.

Passed and approved this 6<sup>th</sup> day of March, 2017.

\_\_\_\_\_  
Earl Pugh, Jr., Chairman  
Hyde County Board of Commissioners

**CERTIFICATION**

I, Lois Stotesberry, duly appointed Clerk to the Board of Commissioners of Hyde County, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Board of Commissioners of Hyde County, on the 6<sup>th</sup> day of March, 2017.

\_\_\_\_\_  
Clerk to the Board  
*(Official Position)*

\_\_\_\_\_  
*(Signature)*

\_\_\_\_\_  
March 6, 2017  
*(Date)*

**HYDE COUNTY FLOOD MITIGATION ASSISTANCE (FMA) PROGRAMS**  
**Financial Management Resolution**

WHEREAS, Hyde County expects to receive Flood Mitigation Assistance Program grants for the elevation of flood-prone residential structures; and

WHEREAS, the North Carolina Administrative Code regulations require that the county designate a Grant Finance Officer and a depository for grant funds;

NOW, THEREFORE, Hyde County hereby resolves the following:

- (1) Corrinne Gibbs, Finance Director, will serve as Grant Finance Officer, and will be responsible for financial management of the FMA Programs according to the requirements of the North Carolina Administrative Code and North Carolina General Statute requirements.
- (2) Yadkin Bank of Swan Quarter, NC, is hereby designated as the official depository for revenues budgeted for the FMA Programs.

Adopted this 6th day of March, 2017.

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Earl Pugh, Jr., Chairman  
Hyde County Board of Commissioners

ATTEST:

---

Lois Stotesberry, Clerk to the Board



**HYDE COUNTY FLOOD MITIGATION ASSISTANCE (FMA) PROGRAMS**  
**Equal Employment and Procurement Policy**

**A. GENERAL EQUAL EMPLOYMENT AND PROCUREMENT POLICY**

Hyde County maintains the policy of providing equal employment opportunities for all persons regardless of race, color, religion, sex, national origin, handicap, age, political affiliation, or any other non-merit factor, except where religion, sex, national origin, or age are bona fide occupation qualifications for employment.

In furtherance of this policy, the county prohibits any retaliatory action of any kind taken by any employee of the county against any other employee or applicant for employment because that person made a charge, testified, assisted or participated in any manner in a hearing, proceeding or investigation of employment discrimination.

The county shall strive for greater utilization of all persons by identifying previously underutilized groups in the work force, such as minorities, women, and the handicapped, and by making special efforts toward their recruitment, selection, development, upward mobility, and any other term, condition, or privilege of employment.

Responsibility for implementing equal opportunities and affirmative action measures is hereby assigned to the County Manager and/or other persons designated by the Hyde County Board of Commissioners to assist in the implementation of this policy statement.

The county shall develop a self-evaluation mechanism to provide for periodic examination and evaluation. Periodic reports as requested on the progress of equal employment opportunity and affirmative action will be presented to the Hyde County Board of Commissioners by the County Manager.

The county is committed to this policy and is aware that with its implementation the county will receive positive benefits through the greater utilization and development of all its human resources.

**B. PROCUREMENT POLICY FOR FEDERAL GRANT PROGRAMS**

All procurement of goods and services by Hyde County with FMA funds shall be accomplished in accordance with the regulations of either Section 13.36 of 44CFR13, "Emergency Management & Assistance," or the North Carolina General Statutes applying to procurement in general by North Carolina municipalities/counties.

When the federal and state regulations are different, the more restrictive regulations shall apply to the procurement in question. Additionally, the county will adhere to the following guidelines during procurement of goods and services with federal funds:

1. In all cases where goods or services are procured on the basis of one bid or proposal received, the county will follow established principles included in OMB Circular A-87 to verify the reasonable cost of the procurement, and shall contact the state agency supervising the grant program before making any contract award on the basis of non-competitive negotiation.

2. Historically underutilized businesses, including women-owned, and minority-owned enterprises shall be included on bidders' or professional services' lists maintained by the county, and such firm(s) shall be solicited for all competitive negotiations, small purchases, and informal and formal bids when such firms are potential competitive sources for goods and services.
3. The county shall develop a written statement of work for each service to be awarded on the basis of competitive negotiation, which shall include descriptions of tasks to be completed, project timetables, and an outline of fee proposal requirements. The statement of work shall also include a written selection procedure. All competitive negotiations shall be awarded strictly on the basis of written selection procedures, and cost shall not be the sole or more important factor in selection of services through the use of competitive negotiation.
4. Prior to any contract award, the county shall verify the contractor's eligibility to participate in a federally-assisted program.
5. No consultant or bidder shall assist in evaluation of proposals or bid packages for contracts in which that consultant or bidder has an indirect or direct interest. The county shall adhere to all applicable federal and state conflict of interest regulations in making contract awards.
6. The county shall request references, or check references, of contractors or firms who are awarded contracts with federal grant funds, and will request a written warranty for all goods and services provided through small purchase requests.
7. The county shall not award any contracts for federally-assisted projects on a contingency or cost plus percentage of cost basis.

Adopted this 6th day of March, 2017.

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Earl Pugh, Jr., Chairman  
Hyde County Board of Commissioners

ATTEST:

---

Lois Stotesberry, Clerk to the Board



**HYDE COUNTY FLOOD MITIGATION ASSISTANCE (FMA) PROGRAMS**  
**Elevation Contract Award Policy**

During the performance of housing elevation activities included in Hyde County Flood Mitigation Assistance (FMA) Programs, the county will utilize the following guidelines in the award of contracts to contractors who bid on the elevation of specific dwelling units:

- 1) The county shall reserve the right to reject bids and rescind contract awards if one of the following conditions has not been met:
  - a. The contractor must have submitted all required forms, credit report, references, etc., with his bid;
  - b. The contractor must have references and a past working record acceptable to the FMA Administrator prior to the FMA Administrator's recommendation of award to the Hyde County Board of Commissioners;
  - c. The contractor must have demonstrated the ability to meet the performance criteria established in the Instructions to Bidders and the elevation contract.
  - d. The contractor must have demonstrated the ability to meet standards of workmanship outlined in the Instructions to Bidders as witnessed by the FMA Administrator.
- 2) Assessment of conditions 1(c) and 1(d) above shall be based on the FMA Administrator's review of contractor references and work performed in other locations, if the contractor has not performed recent elevation work for Hyde County.
- 3) If construction estimates are prepared, no contract award shall be made if the contract price is less than 85% or more than 115% of the FMA Administrator's final estimate. The FMA Administrator will document negotiation of bids and/or estimates before contract awards are made.
- 4) In a case where an individual contractor is performing adequately, but he is the low bidder on more houses than he can complete within 180 days following the bid opening, (based on past performance), the county shall reserve the right to reject bids for those surplus houses, and award those houses to the next lowest bidders meeting the guidelines outlined herein, in the interest of efficient completion of elevation activities. The county also reserves the right to reject bids and award contracts to alternate bidders in the interest of maintaining an efficient work schedule consistent with performance standards mandated by the funding agency.
- 5) The county reserves the right to rescind contract awards made prior to contract execution if circumstances beyond the control of the county, including directives by the funding agency or homeowner's non-participation, prohibit the county's participation in the contract as Owner's Representative.
- 6) Any action, either restrictive or affirmative, taken under these guidelines, shall be in the interest of an efficiently managed FMA program, and will be without self-interest on the part of any member of the Hyde County Board of Commissioners or county staff; and furthermore, shall be without regard to race, creed, sex, color, or national origin.

- 7) The Hyde County Board of Commissioners also realizes the importance of prompt action in the interest of maintaining satisfactory work progress. Therefore, the Hyde County Manager is hereby authorized to approve and execute all elevation change orders less than 20% of current contract value.

Adopted this 6th day of March, 2017.

---

Earl Pugh, Jr., Chairman  
Hyde County Board of Commissioners

ATTEST:

---

Lois Stotesberry, Clerk to the Board



**Hyde County Board of Commissioners  
AGENDA ITEM SUMMARY SHEET**

**Meeting Date:** March 6, 2017  
**Presenter:** Chris Hilbert, HCP  
**Attachment:** Yes

**ITEM TITLE:** HYDE COUNTY FY2015 FLOOD MITIGATION ASSISTANCE  
(FMA) PROGRAM PROJECT ORDINANCE

**SUMMARY:** Chris Hilbert of Holland Consulting Planners will present the following program project ordinance pertaining to Hyde County FY2015 Flood Mitigation Assistance (FMA) Program. The following revenues and resources are anticipated to be available to complete the project activities:

FY 2015 Flood Mitigation Assistance (FMA) Program

Federal Share (90%)	\$204,243.30
Owner Contributions (10%)	\$ 22,693.70
Total:	\$226,937.00

**RECOMMEND:** APPROVAL

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Motion Made By: ☐ Earl Pugh, Jr.  
☐ Barry Swindell  
☐ Dick Tunnell  
☐ Ben Simmons  
☐ Tom Pahl

Motion Seconded By: ☐ Earl Pugh, Jr.  
☐ Barry Swindell  
☐ Dick Tunnell  
☐ Ben Simmons  
☐ Tom Pahl

Vote: ☐ Earl Pugh, Jr.  
☐ Barry Swindell  
☐ Dick Tunnell  
☐ Ben Simmons  
☐ Tom Pahl

**HYDE COUNTY FY2015 FLOOD MITIGATION ASSISTANCE (FMA) PROGRAM  
PROJECT ORDINANCE**

Be it ordained by the Board of Commissioners of Hyde County, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

Section 1. The project authorized is the FY2015 Flood Mitigation Assistance (FMA) Program described in the work statement contained in the grant agreement (#FMA-PJ-04-NC-2015-004) between Hyde County and the North Carolina Department of Emergency Management.

Section 2. The Hyde County staff is hereby directed to proceed with the grant project within the terms of the grant document(s), the rules and regulations of the Department of Emergency Management, and the budget contained herein.

Section 3. The following revenues and resources are anticipated to be available to complete the project activities:

FY15 Flood Mitigation Assistance (FMA) Program

Federal Share (90%)	\$ 204,243.30
Owner Contributions (10%)	\$ <u>22,693.70</u>
Total	\$ 226,937.00

Section 4. The following amounts are appropriated for the project activities:

FY15 Flood Mitigation Assistance (FMA) Program

Project Budget	\$226,937.00
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Section 5. The Grant Finance Officer is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the North Carolina Department of Emergency Management required by the grant agreement(s) and federal and state regulations.

Section 6. Funds may be advanced from the General Fund for the purpose of making payments as due. Reimbursement requests should be made to the North Carolina Department of Emergency Management in an orderly and timely manner.

Section 7. The Grant Finance Officer is directed to report quarterly on the financial status of each project element in Section 4 and on the total grant revenues received or claimed.

Section 8. The Grant Finance Officer is directed to include a detailed analysis of past and future costs and revenues on this grant project in every budget submission made to this board.

Section 9. Copies of this grant project ordinance shall be made available to the Grant Finance Officer for direction in carrying out this project.

Adopted this 6th day of March, 2017.

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Earl Pugh, Jr., Chairman  
Hyde County Board of Commissioners

ATTEST:

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Lois Stotesberry, Clerk to the Board



**Hyde County Board of Commissioners**  
**AGENDA ITEM SUMMARY SHEET**

**Meeting Date:** March 6, 2017  
**Presenter:** Thompson, Price, Scott, Adams & Co.  
**Attachment:** No

**ITEM TITLE:** FY2015-2016 AUDIT REPORT

**SUMMARY:** Thompson, Price, Scott, Adams & Company, Auditors, will be presenting the FY15-16 audit report.

**RECOMMEND:** RECEIVE REPORT

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**Motion Made By:** ☐ Earl Pugh, Jr.  
☐ Barry Swindell  
☐ Dick Tunnell  
☐ Ben Simmons  
☐ Tom Pahl

**Motion Seconded By:** ☐ Earl Pugh, Jr.  
☐ Barry Swindell  
☐ Dick Tunnell  
☐ Ben Simmons  
☐ Tom Pahl

**Vote:** ☐ Earl Pugh, Jr.  
☐ Barry Swindell  
☐ Dick Tunnell  
☐ Ben Simmons  
☐ Tom Pahl

**Hyde County Board of Commissioners**  
**AGENDA ITEM SUMMARY SHEET**

**Meeting Date:** March 6, 2017  
**Presenter:** County Manager Bill Rich  
**Attachment:** No

**ITEM TITLE:** EMPLOYEE OF THE MONTH

**SUMMARY:** Manager Bill Rich will announce the Employee of the Month.  
The employee will spin the "Wheel of Thanks."

**RECOMMEND:** Congratulations.

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**Motion Made By:** \_\_\_ Earl Pugh, Jr.  
\_\_\_ Barry Swindell  
\_\_\_ Dick Tunnell  
\_\_\_ Ben Simmons  
\_\_\_ Tom Pahl

**Motion Seconded By:** \_\_\_ Earl Pugh, Jr.  
\_\_\_ Barry Swindell  
\_\_\_ Dick Tunnell  
\_\_\_ Ben Simmons  
\_\_\_ Tom Pahl

**Vote:** \_\_\_ Earl Pugh, Jr.  
\_\_\_ Barry Swindell  
\_\_\_ Dick Tunnell  
\_\_\_ Ben Simmons  
\_\_\_ Tom Pahl



**Hyde County Board of Commissioners**  
**AGENDA ITEM SUMMARY SHEET**

**Meeting Date:** March 6, 2017  
**Presenter:** Citizens  
**Attachment:** No

**ITEM TITLE:** PUBLIC COMMENTS

**SUMMARY:** Citizens are afforded an opportunity at this time to comment on issues they feel may be of importance to the Commissioners and to their fellow citizens.

Comments should be kept to (3) minutes and directed to the entire Board, not just one individual Commissioner, staff member or to a member of the audience.

Time for one person cannot be used by another person.

Comments that reflect the need for additional assistance will be directed to the County Manager or referred to a future meeting agenda.

**RECOMMEND:** Receive comments.

**Hyde County Board of Commissioners**  
**AGENDA ITEM SUMMARY SHEET**

**Meeting Date:** March 6, 2017  
**Presenter:** Chairman Earl Pugh, Jr.  
**Attachment:** Yes

**ITEM TITLE:** PROCLAMATION – TERMINATION OF THE STATE OF  
EMERGENCY FOR HYDE COUNTY – HURRICANE MATTHEW

**SUMMARY:** Chairman Pugh will issue termination of the State of Emergency for Hyde  
County, NC, effective as of 6:15PM today.

**RECOMMEND:** Adopt.

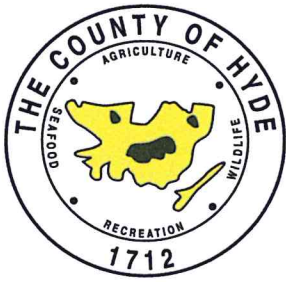
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**Motion Made By:** ☐ Earl Pugh, Jr.  
☐ Barry Swindell  
☐ Dick Tunnell  
☐ Ben Simmons  
☐ Tom Pahl

**Motion Seconded By:** ☐ Earl Pugh, Jr.  
☐ Barry Swindell  
☐ Dick Tunnell  
☐ Ben Simmons  
☐ Tom Pahl

**Vote:** ☐ Earl Pugh, Jr.  
☐ Barry Swindell  
☐ Dick Tunnell  
☐ Ben Simmons  
☐ Tom Pahl





**BOARD OF COMMISSIONERS  
OF THE COUNTY OF HYDE,  
NORTH CAROLINA**

**PROCLAMATION  
TERMINATION OF THE  
STATE OF EMERGENCY FOR HYDE COUNTY**

**HURRICANE MATTHEW**

**March 6, 2017**

**WHEREAS**, on October 4, 2016, at 7:00PM, I proclaimed the existence of a State of Emergency, effective immediately, for Hyde County with Mandatory Evacuation of Ocracoke Island property owners, to include non-residents and residents, effective as of 5:00AM on October 6, 2016; and,

**WHEREAS**, on October 4, 2016, at 7:00PM, I ordered mandatory evacuation of individuals visiting Ocracoke Island, effective as of 5:00AM on October 5, 2016; and,

**WHEREAS**, on October 5, 2016, I proclaimed that a state of emergency and mandatory evacuation for Ocracoke Island visitors will remain in effect; and, mandatory evacuation of Ocracoke Island property owners, both Resident and Non-resident, be suspended as of at 5:30PM on October 5, 2016; and,

**WHEREAS**, on October 16, 2016, at 4:20PM, I issued termination of the mandatory visitor evacuation order issued for Ocracoke Island, effective as of 5:00AM on October 17, 2016 and determined a State of Emergency still exists; and,

**WHEREAS**, I hereby issue termination of the State of Emergency for Hyde County, North Carolina, effective as of 6:15PM, on March 6, 2017; and,

**NOW THEREFORE**, This proclamation is signed on this date, March 6, 2017 at 6:15PM, and becomes effective immediately.

**ATTEST:**

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Earl Pugh, Jr., Chairman  
Hyde County Board of Commissioners

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Lois Stotesberry, CMC, NCCCC  
Clerk, Hyde County Board of Commissioners

**Hyde County Board of Commissioners**  
**AGENDA ITEM SUMMARY SHEET**

**Meeting Date:** March 6, 2017  
**Presenter:** County Manager Bill Rich  
**Attachment:** Yes

**ITEM TITLE:** RESOLUTION SUPPORTING SB 76  
PERMIT NIGHTTIME HUNTING OF COYOTES

**SUMMARY:** Primary Sponsor Senator Bill Cook filed Senate Bill 76 entitled **A Bill To Be Entitled An Act To Direct The Wildlife Resources Commission To Repeal Its Regulation Banning Night Hunting Of Coyotes In Certain Coastal Counties** with the North Carolina Senate on February 14, 2017.

Passing of Senate Bill 76 will allow Beaufort, Dare, Hyde, Tyrrell and Washington counties to join them in adoption of a similar resolution in support of SB 76.

Manager Rich will present **Hyde County Resolution Supporting SB 76 Permit Nighttime Hunting of Coyotes** for Board of Commissioners adoption.

**RECOMMEND:** Adopt.

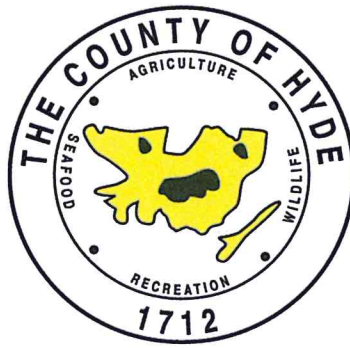
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Motion Made By: ☐ Earl Pugh, Jr.  
☐ Barry Swindell  
☐ Dick Tunnell  
☐ Ben Simmons  
☐ Tom Pahl

Motion Seconded By: ☐ Earl Pugh, Jr.  
☐ Barry Swindell  
☐ Dick Tunnell  
☐ Ben Simmons  
☐ Tom Pahl

Vote: ☐ Earl Pugh, Jr.  
☐ Barry Swindell  
☐ Dick Tunnell  
☐ Ben Simmons  
☐ Tom Pahl





**A RESOLUTION SUPPORTING SB76  
PERMIT NIGHTTIME HUNTING OF COYOTES**

**WHEREAS**, Senate Bill 76 is a local bill introduced to permit nighttime hunting of coyotes for Beaufort, Dare, Hyde, Tyrrell and Washington counties; and,

**WHEREAS**, Coyotes are non-native and very invasive, very destructive to the native wildlife and currently there is no closed season for hunting coyotes in North Carolina; and,

**WHEREAS**, Electronic calls may be used and coyotes may be hunted at night, except on private lands in Beaufort, Dare, Hyde, Tyrrell and Washington counties; and,

**WHEREAS**, Passing of Senate Bill 76 will allow Beaufort, Dare, Hyde, Tyrrell and Washington counties to be coequal with the other 95 counties in the state of North Carolina in regards to the rules of hunting coyote; and,

**NOW, THEREFORE, BE IT RESOLVED**, The Hyde County Board of Commissioners calls on Beaufort, Dare, Tyrrell and Washington counties to join them in adoption of a similar resolution in support of Senate Bill 76 and;

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, a copy of this resolution is transmitted to Senator Bill Cook of Beaufort County and to Governor Roy Cooper to let them know of our support for this issue.

This the 6<sup>th</sup> day of March, 2017.

Attest:

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Lois Stotesberry, Clerk to the Board

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Earl Pugh, Jr., Chairman

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2017

FILED SENATE  
Feb 14, 2017  
S.B. 76  
PRINCIPAL CLERK

S

D

SENATE BILL DRS45060-MH-37 (02/07)

Short Title: Permit Nighttime Hunting of Coyotes. (Local)

Sponsors: Senator Cook (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO DIRECT THE WILDLIFE RESOURCES COMMISSION TO REPEAL ITS  
3 REGULATION BANNING NIGHT HUNTING OF COYOTES IN CERTAIN COASTAL  
4 COUNTIES.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.(a)** Definitions. – "Night Hunting Rule" means subsection (b) of 15A  
7 NCAC 10B .0219 (Coyote) for purposes of this section and its implementation.

8 **SECTION 1.(b)** Night Hunting Rule. – Until the effective date of the revised  
9 permanent rule that the Wildlife Resources Commission is required to adopt pursuant to  
10 subsection (d) of this section, the Commission and the Commission staff shall implement the  
11 Night Hunting Rule as provided in subsection (c) of this section.

12 **SECTION 1.(c)** Implementation. – To the extent allowed by federal law, the  
13 Commission shall apply the rules for night hunting of coyote as set forth in subsection (a) of 15A  
14 NCAC 10B .0219 in every county of the State.

15 **SECTION 1.(d)** Additional Rule-Making Authority. – The Commission shall adopt a  
16 rule to amend the Night Hunting Rule consistent with subsection (c) of this section.  
17 Notwithstanding G.S. 150B-19(4), the rule adopted by the Commission pursuant to this section  
18 shall be substantively identical to the provisions of subsection (c) of this section. Rules adopted  
19 pursuant to this section are not subject to Part 3 of Article 2A of Chapter 150B of the General  
20 Statutes. Rules adopted pursuant to this section shall become effective as provided in  
21 G.S. 150B-21.3(b1) as though 10 or more written objections had been received as provided by  
22 G.S. 150B-21.3(b2).

23 **SECTION 2.** This act is effective when it becomes law and expires when permanent  
24 rules adopted as required by subsection (d) of Section 1 of this act become effective.





**Hyde County Board of Commissioners**  
**AGENDA ITEM SUMMARY SHEET**

**Meeting Date:** March 6, 2017  
**Presenter:** Kris Noble  
**Attachment:** Yes

**ITEM TITLE:** RESOLUTION ON VOTE OF NO CONFIDENCE IN THE NORTH CAROLINA MARINE FISHERIES COMMISSION

**SUMMARY:** The Hyde County Board of Commissioners submitted a letter and corresponding resolution to the North Carolina Marine Fisheries Commission in January of 2017 recommending that they deny the Petition for Rulemaking submitted by the North Carolina Wildlife Federation that proposes to designate the internal coastal and near oceanic waters of North Carolina special secondary nursery areas.

Commissioner Pugh, County Manager Rich and Assistant County Manager Noble spoke at the January 15, 2017 public hearing in New Bern. At that meeting, five advisory boards were in attendance. Those five boards were comprised of 40 members and 32 of those members recommended to the Commission that they not enforce this new trawling ban and that the petition be denied.

On February 16, 2017, the North Carolina Marine Fisheries Commission met in Wilmington and against the advice of their advisory groups, granted this petition which has significant economic implications for Hyde County.

This Resolution states the Hyde County Board of Commissioners stand steadfast in their resolve outlined in their January 3, 2017 Resolution, and stand behind and in support of our fishing industry within Hyde County. It also states that the Hyde County Board of Commissioners shows a Vote of No Confidence in the North Carolina Marine Fisheries Commission because they clearly demonstrated that they do not have the objectivity to make sound decisions on this issue.

**RECOMMEND:** APPROVE RESOLUTION AND AUTHORIZE STAFF TO DISTRIBUTE.

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Motion Made By: ☐ Earl Pugh, Jr.  
☐ Barry Swindell  
☐ Dick Tunnell  
☐ Ben Simmons  
☐ Tom Pahl

Motion Seconded By: ☐ Earl Pugh, Jr.  
☐ Barry Swindell  
☐ Dick Tunnell  
☐ Ben Simmons  
☐ Tom Pahl

Vote: ☐ Earl Pugh, Jr.  
☐ Barry Swindell  
☐ Dick Tunnell  
☐ Ben Simmons  
☐ Tom Pahl

# COUNTY OF HYDE

## Board of Commissioners

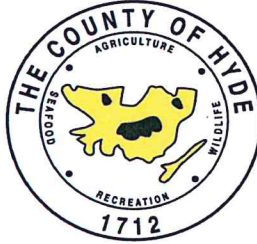
Earl Pugh, Jr., Chair  
Barry Swindell, Vice-Chair  
Benjamin Simmons, III  
Tom Pahl  
Dick Tunnell

30 Oyster Creek Road  
PO Box 188  
SWAN QUARTER, NORTH CAROLINA 27885  
252-926-4400  
252-926-3701 Fax

Bill Rich  
County Manager

Fred Holscher  
County Attorney

Lois Stotesberry, CMC, NCCCC  
Clerk to the Board



## **HYDE COUNTY BOARD OF COMMISSIONERS RESOLUTION ON VOTE OF NO CONFIDENCE IN THE NORTH CAROLINA MARINE FISHERIES COMMISSION**

**WHEREAS**, this Vote of No Confidence by the Hyde County Board of Commissioners in the North Carolina Marine Fisheries Commission is an alternative method to bring forth serious concerns relative to their support of the Petition for Rulemaking submitted by the North Carolina Wildlife Federation; and

**WHEREAS**, the shrimp fishery is North Carolina's most important fishery economically; and

**WHEREAS**, the rules proposed in the Petition would close the internal coastal waters and near-shore oceanic waters of North Carolina to trawling unless opened by the North Carolina Division of Marine Fisheries ("DMF"), and restrict the taking of shrimp to daylight hours and three days per week; and

**WHEREAS**, the proposals will have a substantial economic impact on many small businesses, have significant negative effects on coastal communities and negatively impact the availability of North Carolina shrimp to consumers; and

**WHEREAS**, the petition should have been denied because the cost factors described in the petition are clearly inadequately described. This omission is significant because the shrimp fishery is North Carolina's most important fishery economically; and

**WHEREAS**, the petition will designate all coastal fishing waters not already designated as nursery areas as special secondary nursery areas, including the ocean out to three miles; and



**WHEREAS**, the North Carolina General Assembly, through the Fisheries Reform Act, clearly desired that such comprehensive changes in management measures for important recreational and commercial species in North Carolina be developed through Fisheries Management Plans (“FMP’s”) and these issues were recently discussed and addressed by the 2015 Shrimp FMP after two years of development; and

**WHEREAS**, the Petition for Rulemaking has a component for potential regulation on property owners abutting these newly formed secondary nursery areas. Hyde County boasts some of the most beautiful waterfront properties in the state. The potential for regulations on these properties not only negatively affect one of Hyde County’s greatest assets, but also has a negative impact on all citizens because of the potential loss of tax revenue; and

**WHEREAS**, the Petition for Rulemaking could also prove to be a hindrance to any needed and necessary dredging along our shoreline; and

**WHEREAS**, the Hyde County Board of Commissioners represent the people of Hyde County with a collective history of approximately 300 years of fishing experience, submitted a letter and corresponding resolution to the North Carolina Marine Fisheries Commission in January of 2017 recommending that they deny the Petition for Rulemaking submitted by the North Carolina Wildlife Federation that proposes to designate the internal coastal and near oceanic waters of North Carolina special secondary nursery areas; and

**WHEREAS**, at the January 15, 2017 hearing meeting in New Bern, there were five advisory boards in attendance; those five boards were comprised of 40 members; 32 of those members recommended to the Commission that they not enforce this new trawling ban and that the petition be denied; and

**WHEREAS**, on February 16, 2017, the North Carolina Marine Fisheries Commission met in Wilmington and against the advice of their advisory groups, granted this petition which has significant economic implications for Hyde County; and

**WHEREAS**, while the North Carolina Marine Fisheries Commission did not violate the law and it is within their parameters to make such decisions, their decision was not within the spirit of the Fisheries Reform Act which calls for science to make decisions and not political science; and

**WHEREAS**, this Resolution is no reflection on the dedicated people that work in that Division; no criticism of the biologists; and no criticism of the Fisheries Reform Act; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Hyde County Board of Commissioners stand steadfast in their resolve outlined in their January 3, 2017 Resolution, and stand behind and in support of our fishing industry within Hyde County; and

**BE IT FURTHER RESOLVED**, by a unanimous vote of those Commissioners present, that this action by the Hyde County Board of Commissioners shows a Vote of No Confidence in the North Carolina Marine Fisheries Commission because they clearly demonstrated that they do not have the objectivity to make sound decisions on this issue.

Adopted this the 6<sup>th</sup> day of March, 2017.

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Earl Pugh, Jr., Chairman  
Hyde County Board of Commissioners

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Lois Stotesberry,  
Clerk to the Board